FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 410 OF 2007

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders.	Court's or Judge's Orders

Mr. Jehangir Khajotia for petitioner
Mr. M.S. Mhambre, APP
Ms. Vidya Manjarekar for R-2.

CORAM: SMT. RANJANA DESAI &
V. C. DAGA, JJ.
DATED:-30/3/2007

P.C.:-

We have heard the learned counsel for the parties. The learned counsel for the parties state that the petitioner and the 2nd respondent have amicably settled their dispute. Consent Terms have been filed in the Family Court at Bandra, Mumbai. The marriage between the petitioner and the 2nd respondent stands dissolved by a decree of divorce. Copy of the consent terms is annexed to the petitioner at Exhibit-B.

In view of this, the learned counsel state that proceedings being

Case No. 3551/PW/2005 pending before the Metropolitan Magistrate's 24th Court at Borivali, Mumbai, inclusive of FIR No.345/2004 dated 28/11/2004 registered at Dindoshi Police Station be quashed.

In view of the fact that the parties have settled the dispute and considering the consent terms which are annexed to the petition and in the light of the judgment of the Supreme Court in **B. S. Joshi & Ors. v. State of Haryana & Anr., 2003 All MR (Cri.) 1162 (S.C.)**, we see no reason why the pending proceedings should not be quashed. Hence the following order:

"The process issued in case No. 3551/PW/2005 pending before the 24th Court at Borivali, Mumbai, inclusive of FIR No.345/2004 dated 28//11/2004 registered at Dindoshi Police Station on a complaint filed by Anamika Harinath Dussa and the entire investigation under Section 498(A) of the Indian Penal Code are quashed.

We note the presence of respondent

2.

Petition is disposed of."

JUDGE.

JUDGE.